

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

Plaintiff,

- against -

ALL FUNDS ON DEPOSIT IN OCEAN
BANK ACCOUNT NUMBER
010050373809, AND ALL RELATED
FUNDS AND PROCEEDS, INCLUDING
ALL FUNDS TRACEABLE THERETO,
UP TO AND INCLUDING THE SUM
OF \$143,585.00, et al.

Defendants.

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DECREE OF FORFEITURE
AND ORDER FOR DELIVERY

CV-99-8413

(Garaufis, J.)
(Boyle, M.J.)

Upon the United States' notice of motion to strike the claims and answers of Guillermo Noguera, Clara Noguera and Amano, Ltd., as well as the claim of Adelina Ruiz, and for entry of a decree of forfeiture and order for delivery as against the funds on deposit in the following bank accounts on default: Total Bank Account No. 40036601706; Ocean Bank Account No. 010050373809; Barnett Bank Account No. 1464400703 (now known as NationsBank); and People's Credit Union Account No. 854594 (the "Defendant Accounts"), the accompanying memorandum of law, the Declaration of Richard T. Lungert, Assistant United States Attorney, dated January 29, 2003 and the Declaration of Edward Nagle, dated January 28, 2003, and upon all papers filed and proceedings had herein, and pursuant to 18 U.S.C. §§ 981 and 984 and 21 U.S.C. § 881, it is hereby

ORDERED, ADJUDGED AND DECREED that all of the persons or entities known or thought to have an interest in or claim to the funds on deposit in the Defendant Accounts seized by Customs agents at various times from December 1999 through and including May 2000, having been given due notice of these proceedings, and none of those persons or entities having interposed a timely or proper claim and answer or other responses of any kind to

the complaint or interrogatories served therewith, the untimely and improperly filed claims and answer of the aforementioned claimants having heretofore been stricken, and the default of all other persons having any interest in the Defendant Accounts is hereby noted; and it is further

ORDERED, ADJUDGED and DECREED that pursuant to 18 U.S.C. §§ 981 and 984 and 21 U.S.C. § 881, all of the monies on deposit in the Defendant Accounts, including all accumulated interest and proceeds traceable thereto, are hereby forfeited and condemned to the use and benefit of the United States of America; and it is further

ORDERED, ADJUDGED and DECREED that the United States Customs Service be and the same is hereby directed to pay its costs incurred incident to this proceeding from the forfeited funds and to dispose of the remainder in accordance with law; and it is further

ORDERED, that the Clerk of the Court forward six certified copies of this Decree to the United States Attorney for the Eastern District of New York, Attention: Assistant United States Attorney Richard T. Lurger, Office of the United States Attorney, 610 Federal Plaza, 5th Floor, Central Islip, New York 11722.

Dated: Brooklyn, New York
Oct 23, 2003

s/

HONORABLE NICHOLAS G. GARAUFIS
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK

SIR:

PLEASE TAKE NOTICE that the within will be presented for settlement and signature to the Clerk of the United States District Court in his office at the UNITED STATES DISTRICT COURT U.S. Courthouse, 225 Cadman Plaza East, EASTERN DISTRICT OF NEW YORK

Brooklyn, New York, on the _____ day of _____, 19____, at 10:30 o'clock in the forenoon.

Dated: Brooklyn New York,

_____, 19____

United States Attorney,

Attorney for _____

To: _____

Attorney for _____

SIR:

PLEASE TAKE NOTICE that the within is a true copy of _____ duly entered herein on the _____ day of _____, in the office of the Clerk of the Eastern District of New York,

Dated: Brooklyn, New York

_____, 19____

United States Attorney,

Attorney for _____

To: _____

Attorney for _____

CIVIL Action No. CV-99-8413

UNITED STATES DISTRICT COURT
Eastern District of New York

UNITED STATES OF AMERICA,

Plaintiff,

- against -

ALL FUNDS ON DEPOSIT IN OCEAN
BANK, et. al

Defendants.

DECREE OF FORFEITURE AND
ORDER FOR DELIVERY

ROSLYNN R. MAUSKOPF

United States Attorney,
Attorney for _____ Defendant
Office and Post Office Address,
610 Federal Plaza
5th Floor
Central Islip, New York 11722

Due service of a copy of the within _____
is hereby admitted.

Dated: _____, 19____

Attorney for _____
RICHARD T. LUNGER, AUSA
(631) 715-7867